

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Pictometry International Corp.

Plaintiff,

v.

Case No. 6:18-CV-6487 (EAW) (JWF)

Air America Flight Center LLC,

Defendant.

Air America Flight Center, LLC,

Plaintiff,

v.

Case No. 6:18-CV-6637 (EAW)

Eagle View Technologies, Inc., Sandhills
Aviation LLC, and Steven W. Sherwood,

Defendants.

Stipulation and Order Consolidating Actions

WHEREAS, the above-captioned actions (the “Actions”) are pending before the Court and involve common questions of law and fact, as well as a common party (Air America Flight Center, LLC);

WHEREAS, the parties to the Actions have agreed to consolidation of the Actions pursuant to Federal Rule of Civil Procedure 42;

WHEREAS, such agreement to consolidation is made without prejudice to or impact upon the pending motions to dismiss that have been filed by plaintiff and counterclaim defendant Pictometry International Corp., and by Eagle View Technologies, Inc., Sandhills

Aviation LLC, and Steven W. Sherwood, which upon consolidation would become third-party defendants in what will be identified as the Third-Party Action;

NOW, THEREFORE, the parties hereby stipulate, and the Court hereby orders, that the Actions are consolidated pursuant to Federal Rule of Civil Procedure 42(a)(2). It is further

ORDERED that the caption of the consolidated action will be deemed to have been amended to reflect the relative positions of the parties, in the following manner:

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

Pictometry International Corp.

Plaintiff,

v.

Case No. 6:18-CV-6487(EAW)(JWF)

Air America Flight Center LLC,

Defendant.

Air America Flight Center, LLC,

Third-Party Plaintiff,

v.

Case No. 6:18-CV-6637 (EAW)

Eagle View Technologies, Inc., Sandhills
Aviation LLC, and Steven W. Sherwood,

Third-Party Defendants.

The Clerk of the Court is hereby directed to consolidate the Actions, and designate 18-CV-6487 as the lead case. All further filings shall be made under case number 18-CV-6487.

Dated: February 7, 2019

McDERMOTT WILL & EMERY LLP

s/ Michael R. Huttenlocher

Michael R. Huttenlocher
Joseph B. Evans
Greer Griffith
Attorneys for Plaintiff/Defendant
Air America Flight Center, LLC
340 Madison Avenue
New York, New York 10173
Telephone: (212) 547-5400
Facsimile: (212) 547-5444
mhuttenlocher@mwe.com
jbevans@mwe.com
ggriffith@mwe.com

Dated: February 7, 2019

WARD GREENBERG HELLER & REIDY LLP

s/ Thomas S. D'Antonio

Thomas S. D'Antonio
Tony R. Sears
Attorneys for Plaintiff/Counterclaim-Defendant
Pictometry International Corp. and
Defendant Eagle View Technologies, Inc.
1800 Bausch & Lomb Place
Rochester, New York 14604
Telephone: (585) 454-0700
Facsimile: (585) 423-5910
tdantonio@wardgreenberg.com
tsears@wardgreenberg.com

Dated: February 7, 2019

LECLAIR KORONA COLE LLP

s/ Paul L. Leclair

Paul L. Leclair

Jeremy M. Sher

Attorneys for Defendants

Sandhills Aviation LLC and Steven W. Sherwood

28 E. Main Street, Suite 1500

Rochester, New York 14614

Telephone: (585) 327-4100

Facsimile: (585) 327-4200

pleclair@leclairkorona.com

jsher@leclairkorona.com

SO ORDERED.

Dated: _____, 2019

Hon. Elizabeth A. Wolford

United States District Court Judge